

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Brian Buyssee**  
Docket No. **297335**  
L.C. No. **04-011598-01-FC**

Christopher M. Murray, Judge, acting under MCR 7.211(E)(2), orders:

The prosecution's confession of error under MCR 7.211(C)(7) is accepted and the matter is REMANDED for entry of an amended judgment of sentence that omits the provision for lifetime electronic monitoring. Because lifetime electronic monitoring is punishment that was not authorized by statute when defendant-appellant committed the crimes for which he has been sentenced, the imposition of this additional punishment violates the Ex Post Facto Clause of our Constitution, Const 1963, art 1, § 10. *In re Contempt of Henry*, 282 Mich App 656, 684; 765 NW2d 44 (2009).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

October 6, 2010  
Date

*Sandra Schultz Mengel*  
Chief Clerk